

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGE S. HOFMEISTER FAMILY
TRUST DATED JUNE 21, 2001, et al.,

Plaintiffs

Case No. 06-CV-13984-DT

v.

FGH INDUSTRIES, L.L.C., et al.,

Defendants.

PROTECTIVE ORDER

In order to preserve the confidentiality of certain alleged confidential personal financial information, which has been or will be produced in the above-captioned matter, the parties agree as follows:

1. Any party shall have the right to designate as confidential, any documents, things and information that the disclosing party believes contains confidential personal financial information.

2. All documents, things and information designated as confidential pursuant to this Order, provided in the course of this litigation and any information contained therein or derived therefrom shall be used solely for the purposes of this action and appeal of this action and for no other purposes whatsoever, and shall not be disclosed to any person or entity except in accordance with the terms of this Order.

3. All confidential documents shall be so designated by marking the legend “Confidential” at the time of production, and in the case of documents or information heretofore produced, by description of said documents or information and subsequent notice of

confidentiality to the party in receipt of said documents or information. Inadvertent failure to designate a document as confidential may be corrected by supplemental written notice given as soon as practicable.

4. Notwithstanding anything contained herein to the contrary, no information provided by a disclosing party that is in the public domain or is otherwise published or publicly available, or is already in the lawful possession or control of a requesting party, may be considered confidential for purposes of this Order.

5. Confidential documents, copies thereof, and the information contained therein shall not be made available or disclosed to any person except requesting party, its counsel, support staff and expert witnesses.

6. Confidential documents shall remain in the custody of requesting party, or its counsel, requesting party's expert witnesses and/or staff, and shall not be provided to other persons except as necessary to prepare for the hearing or appeal of this action.

7. At the conclusion of this action, all confidential documents, including all copies, extracts and summaries and all documents containing information taken therefrom, shall be returned to the respective party no later than thirty (30) days after the unappealed or unappealable final judgment or settlement of this action or destroyed.

8. Nothing in this Order shall require a party to produce privileged information or shall constitute a waiver of any privilege.

9. This Order shall survive the final resolution of this matter.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 5, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 5, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522
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The form of the above Order is hereby agreed to.

/s/ Ava K. Ortner
AVA K. ORTNER (P41886)
Attorney for Plaintiffs

/s/ Ian Redmond
IAN REDMOND (P70599)
Attorneys for Defendants